

Who We Are

In response to an intolerable lack of Christian freedom to home school in Oregon, the Parents Education Association was formed in 1983. Our original mission was to defend and extend home school and private school liberties. God blessed in ways far beyond our expectations. Heading a cooperative effort of home schoolers around the State, *we successfully introduced and lobbied for the passage of what became known as the 1985 Home School Freedom Bill.* Overnight, Oregon's home school law moved from one of the worst to one of the best in the country.

For the next decade, *we successfully defended our hard fought home school liberties from attacks* by the educational establishment in Salem. We also worked arm in arm with other Christian political activists and *helped elect a pro-family majority in the Oregon House and Senate.*

In 1996, we reorganized as a Ballot Measures PAC (Political Action Committee) and began to publish the *Biblical Ballot Measures Voters Guide.* For the past four years, we have helped tens of thousands of Christians throughout the State think through a wide variety of public policy issues from a distinctively Christian perspective.

Why Did We Choose the Name "Parents Education Association?"

For many years the *National Education Association, NEA,* has been a strong political force. It has helped move our country away from its Christian heritage and away from the freedoms that accompany Biblical faith. Starting with an initial emphasis on state-controlled or so-

cialistic education, it has grown to support many left-wing causes such as abortion and sodomy (homosexuality). The NEA is a teachers union, and is publicly and vocally opposed to home schools and private schools that do not use state-certified teachers.

The *Parents Education Association, PEA,* was named to suggest our desire to be a counterweight to the NEA. Our name also points to our desire to unite parents to fight politically for parental freedom in education. *Our vision for America is a return to the faith of our fathers, and the resultant freedom, liberty and order that accompany a culture built on God's Word.* The mechanism we use for this purpose is PEAPAC, the Parents Education Association Political Action Committee, which is exclusively organized to support and oppose statewide Ballot Measures based on a biblical worldview.

Christian, not Conservative

Micah 6:8 says God requires three things of men. These are "to do justice, to love mercy, and to walk humbly with God." *Conservatives focus on doing justice, while liberals focus on loving mercy, and neither, apart from the regenerating work of Christ, walk humbly with God.* As a result, the conservative's justice is not Biblical. They want longer prison sentences, not restitution, for instance. The liberal's acts of mercy are not really merciful. For instance, God gives the slothful man hunger to awaken in him the need to work. The liberal's welfare program takes away that godly incentive. In the words of Proverbs 12:10 "the tender mercies of the wicked *are* cruel."

We don't need right wing politics or left wing politics, but a Bible-wing ap-

A 19th Century Christian Theologian's Comments on Secular Conservatism

"This is a party which never conserves anything. Its history has been that it demurs to each aggression of the progressive party, and aims to save its credit by a respectable amount of growling, but always acquiesces at last in the innovation. What was the resisted novelty of yesterday is today one of the accepted principles of conservatism; it is now conservative only in affecting to resist the next innovation, which will tomorrow be forced upon its timidity and will be succeeded by some third revolution to be denounced and then adopted in its turn.

"American conservatism is merely the shadow that follows radicalism as it moves forward towards perdition. It remains behind it, but never retards it, and always advances near its leader. This pretended salt hath utterly lost its savor: wherewith shall it be salted? Its impotency is not hard, indeed, to explain. It is worthless because it is the conservatism of expediency only, and not of sturdy principle. It intends to risk nothing serious for the sake of the truth, and has no idea of being guilty of the folly of martyrdom.

'It always - when about to enter a protest - very blandly informs the wild beast whose path it essays to stop, that "its bark is worse than its bite" and that it only means to save its manners by enacting its decent role of resistance. The only practical purpose which it now subserves in American politics is to give enough exercise to radicalism to keep it "in wind," and to prevent it's becoming pury and lazy from having nothing to whip.'

R. L. Dabney, Discussions,
Volume 4.

Continued Page 7

Issues '99 A Biblical Ballot Measures Voters Guide

PEAPAC Ballot Measure Recommendations

RECOMMENDATION	BALLOT MEASURE	TITLE	PAGE NUMBER
YES	MEASURE 68	Amends Constitution: Allows protecting business, certain government programs from prison work programs.....	3
YES	MEASURE 69	Amends Constitution: Grants victims constitutional rights in criminal prosecutions, juvenile court delinquency proceedings.....	3
NO	MEASURE 70	Amends Constitution: Gives public, through prosecutor, right to demand jury trial in criminal cases	3
YES	MEASURE 71	Amends Constitution: Limits pretrial release of accused person to protect victims, public	4
NO	MEASURE 72	Amends Constitution: Allows murder conviction by 11 to 1 jury verdict.....	5
NO	MEASURE 73	Amends Constitution: Limits immunity from criminal prosecution of person ordered to testify about his or her conduct	5
YES	MEASURE 74	Amends Constitution: Requires terms of imprisonment announced in court be fully served, with exceptions.....	5
YES	MEASURE 75	Amends Constitution: Person convicted of certain crimes cannot serve on grand juries, criminal trial juries	6
YES	MEASURE 76	Amends Constitution: Requires light, heavy motor vehicle classes proportionately share highway costs.....	7

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MEASURE 68

Amends Constitution:

Protects private business from competition from prison work programs

EXPLANATION: Oregon law for several years has required prison work programs. This measure's major goal is to protect private jobs or business and certain government programs from unfair competition from these programs. Measure 68 also allows these programs to benefit the community without necessarily achieving a profit.

RECOMMENDATION: YES.

The case laws of the Old Testament in Exodus 21-23, and reinforced in such New Testament passages as Hebrews 2:2, Mark 7:10, Philemon 18,19; Romans 1:32; Revelation 6:10, 2 Timothy 4:14, etc. indicate that *the present prison system should eventually be replaced by a system based on restitution and the death penalty.* However, current prison practices would be improved by making prisoners work. After all,

if we're going to feed prisoners, *they should work* (2 Thes. 3:10-12). Yet it is obvious that this work shouldn't cause the unemployment of men who labor in their vocation. Sadly, this has occurred, for example, in Salem, where a private laundry service was put out of business by competition from the prisoners at the Oregon State Penitentiary. So this measure is necessary and in our opinion should be supported. *See Sidebar - Crime and Restitution*

MEASURE 69

Amends Constitution:

Grants victims constitutional rights in criminal prosecutions and juvenile court delinquency proceedings.

EXPLANATION: Oregon law currently provides for a number of victims rights. This measure would put some of these rights into the State Constitution. These rights would give the victim the ability to be a larger part of the criminal justice process and would protect the victim from unne-

cessary involvement with the defendant and his lawyer. Most importantly, this measure would place the right of the victim to restitution (for monetary damages by the defendant) into the State Constitution.

RECOMMENDATION: YES.

Because of Ex. 21:22-25, and Ex. 22:1-4,7, we are particularly supportive of the victim's right to restitution being a *Constitutional* right. We therefore *strongly* support this measure. *See Sidebar - Crime and Restitution*

MEASURE 70

Amends Constitution:

Gives the State, through the prosecutor, the right to demand a jury trial in criminal cases

EXPLANATION: Under current law, only the accused person has the right to demand a jury trial in a criminal case. If he prefers a judge to determine his guilt or innocence, he can waive a jury trial. Under this measure, the prosecuting attorney could demand, and get, a jury trial even if the accused person wanted a trial by a judge.

RECOMMENDATION: NO.

The jury system has deep roots in the Bible and in our English legal heritage. The Biblical roots for juries seem to rest in the "elders in the gate" (see Dt. 21:19,20; 22:15; 25:7; Joshua 20:4; Ruth 4:2,11; Lam. 5:14) and the Sanhedrin or Seventy (see Num. 11:16,17,24,25). [Grand Juries are made up of 23 jurors. According to John Eidsmoe, author and noted Christian constitutional expert and attorney, this number is based on the so-called "Lesser Sanhedrin," which was composed of 23 men. The Greater Sanhedrin of 70 was composed of 3 such groups, headed by the High Priest.]

Our American heritage of trial by jury can be traced back to our colonial period, then back to Magna Carta in 1215, which was based on Alfred the Great's ninth century Book of Dooms, which was had its roots in

Measures 68, 69 Sidebar Crime and Restitution

For over two centuries, America has struggled under a criminal justice system that has its roots in bad theology. In 1796, the Walnut Street jail in Philadelphia was converted from a jail (a temporary holding place) to become America's first modern prison or penitentiary. The idea behind the move away from corporal punishment and the death penalty to incarceration was based, in part, on the theology of William Penn and other Quakers. *They rejected the Biblical doctrine of total depravity.* Penn and his followers believed that all men are basically good, and that *man's environment, not his sinful heart, was to blame for his crime.* If they were left in a "cell" (like the monastic "cell") to read the Bible and pray, it was believed that they would become "penitent," hence the term "penitentiary." Obviously, this system is broken, irreparably so. Both crime and prisons abound.

God's way is far different. The basic truth behind Biblical criminal justice is *restitution*, which has several excellent aspects. *First*, restitution in cases of theft is *multiple*. When a thief steals from someone, he should be required to pay back two-fold for what he stole. *Second*, this restitution is *restorative*. This multiple restitution means the restoration to the victim of wholeness, and then some, for his trouble and distress. *Third*, multiple restitution is *punitive*. It means punishment to the thief. He experiences what his victim would have experienced if his theft was successful - loss. *Fourth*, because of this, Biblical restitution is *merciful*. It brings the thief to a realization of his sin, and provides the grace of God unto repentance for those who have ears to hear and eyes to see. *Fifth*, biblical restitution is *personal*. Restitution is made to the victim, not to the State. Prisons tax the rest of society to pay for the prisoner's food and shelter, because modern man thinks the environment is to blame for the crime, not the sinner's heart. In like fashion, the prisoner is often forced to make restitution to the community, because the community, not the individual, is seen as the victim. *Biblically, the criminal is responsible for his own actions, he is punished for his sin, and the true victim is made whole.* Now, that's a criminal justice system to work and pray for!

Measures 70, 72, and 75 Sidebar Juries: Past and Present

The history of the jury system is a long and fascinating one. Our American jury system is derived from English law, which in many ways grew explicitly from Biblical law. In the Bible, juries seem to find their roots in the “elders in the gate” who would meet for governance (See Dt. 21:19,20; 22:15; 25:7; Joshua 20:4; Ruth 4:2,11; Lam. 5:14). These lay “juries” of men were distinct from the professional judges that Deuteronomy 16:18-20 says each city should have. An example of the working of the elders in the gate is found in the book of Ruth. Boaz assembles ten of these elders to hear and affirm his case in regards to Ruth.

This Biblical system found its way into English law. In 9th century England, the renowned Anglo-Saxon Christian King, Alfred the Great, went about writing laws for England. He looked to an earlier work by St. Patrick, the 5th century missionary to Ireland. Patrick’s book, the Liber Ex Lege Moisi, or Book of the Law of Moses, looked to the Old Testament for a model of civil governance. Perhaps Patrick had in mind Deuteronomy 4:7,8, which says the all nations should look to the so-called Law of Moses as they seek to be wise in writing civil laws.

One of the many Christian reforms that Alfred, building on Patrick, brought to England, and eventually to us, was the right to a trial by jury. This would later be reinforced in the context of the Norman conquest of England in 1066, and again would be codified in Magna Carta in 1215.

The Assize (legislative assembly) of Clarendon in 1166 also reiterated the use of the jury. During the reign of Henry II (1154-1189), 12 “*good and lawful men*” in each village were assembled to reveal the names of those suspected of crimes.

Twelve as the number of jurors for “petty juries” (as opposed to “grand juries”) has been established in England for centuries. In “*Guide to English Juries*” published in 1682, it is said that twelve is the number because “In analogy of late, *the jury is reduced to the number of 12, like the prophets were 12 to foretell the truth, the Apostles 12 to preach the truth, the discoverers [spies] 12 sent into Canaan to seek and report the truth; and the stones 12 that the heavenly Jerusalem is built on.*”

Clearly, the *English forerunners of our American juries were Christian in origin and intent*. And clearly they played a very important role in society, being compared to the 12 foundation stones of the heavenly Jerusalem! And just as clearly, their mission was the truth, and relief from oppression of the King or a tyrannical State.

Our very independence as a nation is owed in part to juries. According to a website maintained by the Superior Court of California for the County of San Mateo, “Colonial Grand Juries refused to indict leaders of the Stamp Act (1765), and refused to bring libel charges against the editors of the Boston Gazette (1765). A union with other colonies to oppose British taxes was supported by the Philadelphia Grand Jury in 1770.”

Today, Ballot Measure 70 seeks to give the jury system as a tool to the State, instead of leaving it in the hands of a citizenry who have always turned to it for relief from tyranny. *We thus urge a “No” vote on Measure 70.*

Another factor in our recommendation is the generally poor quality of American juries. To cite again the Assize of Clarendon in 1166, they called on 12 “*good and lawful men*” to compose the jury. In colonial America, jurors had to be freeholders. That is, *they had to be men who owned property free and clear of debts and encumbrances*. Debt-free living showed responsibility. These responsible men were presupposed to know biblical law, with an ability to apply it. In the early stages of the jury system in England, the jurors were frequently those who knew the details of the particular case, and the character of the parties involved, and were thus in a better position to judge the innocence or guilt of the defendant.

Today, affirmations of obedience to Christ’s law in the Bible, or any obvious knowledge of the law, the particulars of the case, or the character of the men involved, are usually grounds for removal from jury duty. Even literacy is no longer a requirement, for either voting or serving on a jury determining the future of other people’s lives. Therefore, we believe now is not the time to remove the ancient unanimity requirement for juries in murder cases, as proposed in Measure 72.

The “dumbed-down” juries of 1999 are far more prone to suggestion and manipulation by ardent prosecutors and able defense lawyers. Ballot Measure 75 would at least remove known felons from the juror pool for 15 years. *We support this “baby step” back to the juries of our forefathers.*

St. Patrick’s book on the Laws of Moses, whose roots, of course, were the Bible.

The original purpose of the jury, in the Bible, English history, and colonial history, was to provide a safeguard against the abuses of the King or State. Today’s juries are not of good caliber, nor of Christian tenor, So some defendants would understandably rather trust themselves to a judge than permit the prosecutor to make them face a possibly ignorant or prejudiced jury. This measure attempts a radical and, in our view, dangerous movement away from centuries of Christian legal history, and should be opposed. *See Sidebar - Juries: Past and Present*

MEASURE 71

Amends Constitution:

Limits pretrial release of accused persons in order to protect victims and the public.

EXPLANATION: To protect victims and the public, this measure would prohibit the pretrial release of someone accused of a violent felony under two conditions. First, if the court found it more likely than not that the defendant committed the violent crime. Second, if the court found that there was clear and convincing evidence that the person poses a danger of physical injury or sexual victimization to others if he is released.

RECOMMENDATION: YES.

We are somewhat concerned about this being used against, for instance, lawful anti-abortion protesters. But the notorious ox cases of Exodus 21:29,36 seem to apply. *Known violent men should be restrained from further violence.* Probable victims of violent defendants should be protected. *See Sidebar - The Notorious Ox and Safety*

MEASURE 72

Amends Constitution:

Allows murder conviction by 11 to 1 jury verdict.

Explanation: Currently, the Oregon Constitution requires that all 12 members of a 12-person jury vote to convict in cases of murder. For most murder cases, this measure would change that to an 11 to 1 requirement. In aggravated murder cases, the requirement would remain 12-0.

RECOMMENDATION: NO.

First, it should be remembered that an 11-1 jury usually results in a hung jury, and the defendant can, and frequently is, retried. Second, *the 12-0 requirement is long established, and should only be changed after much deliberation*, public discussion, and debate. Third, as we explain in *Juries: Past and Present*, the quality of jurors is much reduced in our day. We can easily imagine a case where the minority of one in a modern jury of twelve would be in the right. See *Sidebar - Juries: Past and Present*

Measure 71 Sidebar The Notorious Ox and Safety

“For what great nation is there that has God so near to it, as the LORD our God is to us, for whatever reason we may call upon Him? And what great nation is there that has such statutes and righteous judgments as are in all this law which I set before you this day?” Deuteronomy 4:7,8

This text tells us that the civil laws of Israel were given not just for her. They were also to be a model for perfect social justice in other lands. In other words, the truths that were the foundations for Israel’s laws were to form the basis of the laws of nations that wanted to be wise. Hebrews 2:2 tells us that under Old Testament law “every transgression and disobedience received a just reward.” The Westminster Confession of Faith, written at the zenith of the Protestant Reformation, says that *there is a “general equity” of the judicial laws of Israel that is still to be applied today.*

One of the clearest summaries of these laws is found in the Law of the Covenant, Exodus 21-23. These three chapters are loaded with intensely practical laws that are fairly easily applied to our situation today. One of these laws is the case of the “notorious ox” found in Exodus 21:33 and 34.

In an agricultural economy, you would inevitably have trouble with one animal attacking or killing another animal, and this is addressed in Exodus 21:35 and 36. In most cases, if your animal got in a tussle with another, and one ended up dead, the value of both animals, one dead and one alive, would be split between the two owners. Fair enough. But if your animal was “notorious,” that is, if your animal was known to be aggressive and had killed before, and you failed to keep it penned up, then you were liable and you had to pay the owner of the dead animal the full value of his beast. The idea was that you were supposed to be aware if you had a dangerous animal, and keep it fenced up.

Occasionally, an animal would kill a person. Since this is a perversion of God’s order of things, the killer animal was to be killed. But if the owner knew his beast was dangerous, and had failed to keep him penned up, and as a result, a person was killed, the owner’s life was also forfeit. He could “ransom” his life. That is, he could pay a large amount of money, determined by the victim’s family and the judges. But *God wanted His people to have a high regard for human life, and to take steps to protect it.*

Measure 71 is an attempt to protect human life. Like the steward of the notorious ox, the judge makes a determination that a man under his jurisdiction is a probable threat to the well being of a human if he is released before his trial. As the notorious ox is penned, the judge puts constraints on the man’s freedom to protect human life. We believe measure 76 is in accord with the truth of the notorious ox laws of the Old Testament, and that it therefore should be supported.

MEASURE 73

Amends Constitution:

Limits immunity from criminal prosecution of person ordered to testify about his or her conduct.

EXPLANATION: Currently, the State can only force a person to testify about a crime that he may have committed by promising not to prosecute him for that crime. Under this measure, a person could be made to testify about that same crime and still be prosecuted for it. However, in these cases, the state couldn’t use the person’s testimony or any information derived from that testimony against the defendant.

RECOMMENDATION: NO.

The long-established “fifth amendment” right should not be tampered with. Like the jury system, it has deep roots in the Bible (see Matthew 26:63; 27: 12-14) and Protestant history (William Tyndale, *Foxe’s Book of Martyrs*, etc.). See *Sidebar: Self-Incrimination and the Bible.*

MEASURE 74

Amends Constitution:

Requires terms of imprisonment announced in court be fully served, with some exceptions.

EXPLANATION: This measure would eliminate most reductions in prison terms based on good conduct or other reasons *unless* the judge who originally imposed the sentence specifically authorizes the reduction.

RECOMMENDATION: YES.

While our prison system is not Biblical, *to have judges make decisions about the punishment of criminals is Biblical* (see Exodus 18:21,22; Deut. 1:15-17; 16:18). Judges, not bureaucrats and prison directors, should be responsible for sentencing, *with certitude*, those guilty of crimes. If a prison director can modify a judge’s original sentence, the judge who sentences a man has no degree of certainty that the sentence will be fully served. This is an unbiblical erosion of judicial authority,

Measure 73 - Sidebar: Self-Incrimination and the Bible

Like the jury system, protection against self-incrimination is an historical and Constitutional right in our country. To “take the fifth” is to assert a right guaranteed by the Fifth Amendment to the U. S. Constitution. The Bill of Rights says no man “*shall be compelled in any criminal case to be a witness against himself.*”

This right has a long history, with deep roots in the Protestant Reformation. William Tyndale, martyred in 1536, helped grow the roots of Reformation when he produced the first English translation of the Greek New Testament, printed in 1525. Three years later, he wrote a book entitled *The Obedience Of Christian Man*. In that book, *Tyndale strongly opposed what he described as the work of tyrants who would break into the heart and consciences of men and compel them to swear.* He said that those who would force men to testify against themselves were “Antichrist’s disciples.”

Foxes’ Book Of Martyrs is a gruesome history of the martyrdom of the period of the Reformation. But it also taught the millions that have read it that men should oppose to the death being forced to testify against themselves.

These martyrs had before them the example of the Lord Jesus Christ. *In Matthew 26:63 and 27:12-14, the epitome of obedience to authority refuses to testify*, refuses to answer the questions put to him by the Sanhedrin and Pilate.

According to R. J. Rushdoony, in his monumental work *Institutes of Biblical Law*, “the right of citizens to be protected from the power of the state to compel their self-incrimination does not appear outside of the biblical legal tradition.” When the right to not be forced to testify against oneself is diminished in a society, torture and coercion increase.

While there are a variety of Biblical texts dealing with trial procedures and witnesses, confession is never cited in God’s law. Achan’s confession in Joshua 7 is a voluntary one, and the idea of torturing or compelling a man to obtain his confession is antithetical to Biblical justice. H. B. Clark, a former state legislator, wrote a book entitled *Clarke’s Biblical Law*, which was then published in Portland, Oregon in 1944. It is an excellent consolidation of various portions of Scripture into a statute book, with many ancient legal citations. He notes that under ancient Talmudic law, “the accused was encouraged to speak on his own behalf, *but not to incriminate himself.* Conviction could not be had on a confession alone, without corroborating testimony or witnesses.” He then gives as his citation “88 Case and Comment (1932) No 2, P. 5.”

Measure 73 attempts to remove a portion of this ancient and biblical legal tradition, and for that reason, we oppose it.

which this measure seeks to remedy. Today’s early release due to overcrowding has put many a person and property at risk.

MEASURE 75

Amends Constitution:

A person convicted of certain crimes cannot serve on grand juries or criminal trial juries.

Explanation: If this measure passes, certain people could not serve on juries. If a man had been convicted of a felony in the past 15 years, he could not be a juror. Or if a man had been convicted of a misdemeanor involving violence or dishonesty within the past 5 years, he could not serve as a juror.

RECOMMENDATION: YES.

The modern jury system needs strong overhauling to return it to its Biblical roots. In the Bible, the fore-runners of the modern jury (“elders in the gate” and the Sanhedrin) *were Spirit-filled men of good reputation and mature character* (Ex. 18:21; Dt.1:15; 1 Tim. 3). In colonial Christian America, only freeholders (owing property without encumbrance of debt), who were assumed to be literate in Biblical law, could be jurors. While a baby step, we think this

Measure 74 - Sidebar Judges versus Computers

There is much frustration today with liberal judges. Because of this, Oregon voters have approved a series of “get tough on crime” measures. We can certainly sympathize with a public that is increasingly threatened and frustrated by the criminal element. But the answer lies not in conservative or liberal philosophies. The answer lies in the person and work of the Lord Jesus Christ and His Word.

Man is God’s image-bearer and man, through the divinely sanctioned institution of the civil magistrate, is to administer God’s temporal justice. This is made abundantly clear in Romans 12:19-13:5. In Exodus 21:22, a man who, in the course of a fistfight, accidentally injures an innocent pregnant bystander is to pay “as the *judges* determine.” While the woman’s husband is involved, *the judges make the final determination of the just recompense for the crime.* Indeed, most of the Old Testament criminal penalties seem to be the maximum penalties a judge could impose, as he attempted in his decisions to correctly apply God’s sanctions as set forth in the Bible.

Numbers 35:31 indicates that the only exception to this judicial prerogative is the death penalty for murder. No “satisfaction,” that is no monetary payment, could be substituted at the discretion of the judge. The implication is clear *that in non-capital cases, the judges were to have a degree of discretion.*

Judges are a visible and active representation of God and His justice in our world. They are to be highly esteemed. To try to replace them with computer mandated sentences or bureaucratic early releases is to move away from God’s legal system, and to move towards humanism, whether conservative or liberal.

The answer to our dilemma is a more informed and involved voter when it’s time to elect judges, and a legislature that uses its constitutional and legal means to sanction and remove sinning judges. The *wrong* answer is to undermine judicial authority. This has been the movement of the recent “get tough on crime” measures. *Ballot measure 74 is a step toward the re-empowerment of judicial authority, which is why we support it.*

measure is a step in the right direction and should be supported. See *Sidebar - Juries: Past and Present*

MEASURE 76

Amends Constitution:

Requires light and heavy motor vehicles to proportionately share highway costs.

Explanation: This measure would require that revenue from gas taxes, vehicle taxes, or excises are fair and proportionate to the use of the highways by light vehicles (cars) and heavy vehicles (trucks). To that end, the Legislative Assembly would, every two years, review and, if necessary, adjust these taxes and excises.

RECOMMENDATION: YES.

The "Open Pit" case law of Exodus 21:33,34 and the devouring oxen and fire laws of Exodus 22:5,6 seem to apply. These laws assert that *those who benefit from an activity should pay their appropriate cost of damages* that result from that activity. In this case, the cost of repairing roads should be fairly borne by those who create the wear and tear on those roads. See *Sidebar: Open Pits and Paying Your Way*

Continued From Page 1

proach to political action. *The Parents Education Association is dedicated to seeking out the truths of God's Word as they apply to public policy matters, and then speaking it into the public arena.*

The Voters Guide is a Guide

According to the Westminster Confession of Faith, the Bible is "the only rule of faith and obedience." We have tried in this Guide to bring Scriptural truths to

bear on the nine ballot measures we must vote on in Oregon this year. But good men can and do disagree, particularly when it comes to what can be very complex public policy issues. Please use this guide as a guide, not as a rule-book. Think about the issues carefully and prayerfully, then vote on the issues you are confident of, and don't feel compelled to vote if you are uncertain.

Measure 76 - Sidebar:

Open Pits and Paying Your Own Way

Lets turn to a consideration of the "general equity" of God's case laws as we think through ballot measure 76. As we stated in "The Notorious Ox and Safety," a summary of Old Testament civil law is set out in the Law of the Covenant found in Exodus 21-23. *This law has an "equity" to it, a truth behind it, which can and should be considered as we think through what our laws should be.* Deuteronomy 4:7,8 says that if we want to make wise laws, we will consider what God told Israel, and then apply those same truths to our law today.

Exodus 21-23 addresses certain cases, or examples, to point to a general truth that can guide us as we seek to make application of that truth in many other circumstances. One such case is the "Open Pit" found in Exodus 21:33 and 34.

These verses give us a case of a man who had an open pit on his property and failed to cover it or fence it. According to God's law, he was to be held liable for damages that resulted from another man's animal falling into it. Two similar laws are found in Exodus 22:5 and 6. In these laws, a man must make restitution if he allows his animal to graze in the field of another man, or if he allows a fire he set on his property to get out of control and burn up his neighbor's property.

In each of these cases, men were engaged in lawful activities, but activities that could produce some degree of possible harm to others or their property. According to God's law, *we are responsible for our actions and the potential harm they do to others.* If we are engaged in a business practice that profits us, we should not make our neighbor pay part of the cost for our business. We can burn our fields to get rid of disease, but our neighbor shouldn't have to bear part of the cost by his field or crops being burned. We can dig a pit to collect rainwater. But we should take adequate steps to protect animals and small children that may inadvertently come onto our land and be harmed. If you have a refrigerator in your unfenced back yard, you should take the door off of it! As they say, it's not just a good idea, it's the law!

Applying these laws to ballot measure 76, if trucks create a certain amount of wear and tear on the road, then their owners should be held liable for repairing the "open pits" they make. We are very thankful for trucks and the benefit they bring us. And the increased cost of trucking will be passed on to those who use these services. That's as it should be. We believe measure 76 is a correct application of the truth found in the cases laws of the Bible we have cited, and so we support it.

Acknowledgements

The 1999 Biblical Ballot Measure Voters Guide was written by our Executive Director, Dennis R. Tuuri. Dennis pastors at Reformation Covenant Church, which meets in Oregon City. He can be reached at (503) 263-8337 or via email at elderdt@aol.com. Dennis is currently preaching through the Law of the Covenant found in Exodus 21-23. The research for some of this Voters Guide was originally done for these sermons, which are available in audiocassette format.

Dennis received very helpful comments on several of the measures from John Eidsmoe. John is a Christian constitutional attorney of national stature, and a man of incredible accomplishments. John is also one of the most gracious Christian gentlemen and statesmen we have had the privilege to work with. Steve Samson, History Professor at Liberty University in Lynchburg, Virginia, and adjunct professor at Christ's College, also in Virginia, also contributed to the Voters Guide. Steve is a veritable walking Christian encyclopedia of history, whose assistance and friendship over the years has been of tremendous encouragement and help to our organization.

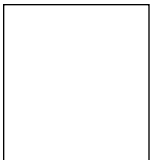
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